

REMARKS

Reconsideration of this application is requested.

It is noted that the Examiner has indicated claims 13 and 14 would be allowable if rewritten to be in independent form. Accordingly, claim 13 has been amended to be independent of claims 1 and 2. Claim 13 should, therefore, be allowable along with claim 14 which depends from claim 13. This leaves for consideration the Examiner's Section 103(a) rejection of claims 1-3, 5-7, 9-11, 15 and 17-18 as being unpatentable over WO 03/027162 in view of newly cited Shimomura et al. (5,686,508).

The applicants respectfully submit that the Examiner's combination of the WO disclosure and Shimomura et al. is not warranted because the two citations are fundamentally incompatible.

WO 03/027162, relates to non-aqueous inks. In contrast, Shimomura et al. relates to aqueous inks (see Column 2, line 48). Furthermore, the inks of WO 03/027162 are UV curable whereas those in Shimomura et al. are not. A person designing non-aqueous radiation curable inks of the type described in WO 03/027162 would not be at all likely to consult the aqueous inks of Shimomura et al. because the requirements for components of aqueous and non-aqueous inks are so very different.

Furthermore, even if Shimomura et al. was considered by a person working on non-aqueous inks, the reference provides no motivation to use a pigment having an acid value greater than 8 mg of NaOH per gram in a non-aqueous, radiation-curable ink system as the applicants require. The acidic groups in Shimomura pigments are clearly there to aid water-dispersibility of the pigments. Water-dispersibility is not an issue for consideration with the non-aqueous inks of concern to the WO disclosure or to the applicants' non-aqueous inks.

The Examiner argues that:

"Shimomura et al provide motivation by teaching that the disclosed carbon black has improved dispersibility in organic solvents and organic high polymers and by teaching its use in ink-jet inks".

However, with all respect, and having carefully reviewed Shimomura et al., the applicants can find no such teaching of improvements. Word searches on Shimomura et al. for "improved", "high polymer" and "dispersibility" show nothing. The Examiner is, therefore, respectfully asked to withdraw the allegation that Shimomura provides the abovementioned motivation or, if maintained, indicate the column and line number of the alleged teachings.

Furthermore, Shimomura et al., if anything, actually teach the opposite of what the Examiner suggests. See, in this regard, Column 1, lines 33-35 which read:

"acid carbon exhibits dispersion stability which is far worse than that of conventional basic carbon".

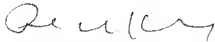
Clearly, the technical reality is that the teachings of Shimomura would not, realistically, be combined into the teachings of WO 03/027162. Furthermore, there is nothing in either reference suggestive of the applicants' invention.

In view of the foregoing, the applicants respectfully submit that the rejected claims are not obvious from WO 03/027162 in view of Shimomura et al. The two documents are fundamentally incompatible because they relate to very different types of inks (non-aqueous versus aqueous). The alleged motivation suggested by the Examiner does not exist, and, if anything, Shimomura discourages the use of acid carbon blacks due to what the reference describes as far worse dispersion stability than conventional basic carbon. Furthermore, Shimomura et al. do not teach how to solve problems in radiation-curable inks. Clearly, therefore, the Examiner's reference combination is not warranted and should be withdrawn.

Favorable reconsideration with allowance is requested.

Respectfully submitted,

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